

From: Marissa Ashkar [mailto:marashkar@yahoo.com]
Sent: Monday, September 25, 2006 2:59 PM
To: Solid Waste Facility Permit Rulemaking
Subject: Comment on Notice of Changes to Proposed Permit Implementation Regulations (AB 1497)

September 25, 2006

To: Bobby Garcia

California Integrated Waste Management Board

From: Marissa Ashkar

University of West Los Angeles, School of Law

Environmental Law Class, Professor Eugene Tseng

Re: Comment on Notice of Changes to Proposed Permit Implementation Regulations (AB 1497)

Dear Bobby Garcia,

Thank you for the opportunity to comment on the proposed regulation.

Consideration of environmental justice issues with regard to public notice should include opportunities for communities to be involved in government review of solid waste facilities. In addition, enhancing community access to information and improved data collection and input are key.

Since people's quality of life is at risk, the decision-making process should be shared by the people of whom the decision affects their communities. The communities must be included at all levels of the process including the development and enforcement of environmental regulations.

The enforcement agency itself should have a relationship with the community affected.

Community needs should be institutionalized into the agency's budget, planning and implementation processes. To do so efficiently the enforcement agency should streamline and consolidate community participation into a central office, and Community-based committees.

The central office should be the central location where adequate, accurate and appropriate information can be accessed and distributed by the public. Notice is appropriate when it considers the language and literacy level of the community. Not only should multilingual notice and translation be available, but also films, cartoons and other means to communicate effectively. Notice is accurate and adequate when the public can be

informed of and involved in the inspections and negotiations of the citing of solid waste facilities.

Community-based committees made up of people based in the affected community including women and youth can serve as a link between the agency and the community. Furthermore the community-based committees can advise on the most effect ways of communication.

In addition, the enforcement agency itself must employ a substantial number of people from affected communities to establish its credibility and maintain the link with the community.

The enforcement agency should actively work with existing community-based groups including civil rights groups to ensure the needs of the community are addressed and the policy (of permit renewal upon substantial change) is equitably implemented.

The enforcement agency must support the link of academic institutions with communities in need of research, health assessment, and data analysis.

The facility operator should have the burden of proof in seeking the permit and showing the community they meet safety standards.

The enforcement agency's implementation of the above suggestions would help to provide a better quality of life for affected communities as well as promote policy with balanced input from citizens and industry.

Some of my ideas above are influenced by a book I have, *Unequal Protection, Environmental Justice & Communnities of Color* by Robert Bullard, published 1994.

Regards,

Marissa Ashkar